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In re Application of Alan L. Backus, et al. Application No. 10/039,395 Filed: November 7, 2001 Attorney Docket No. 45891/GSL/A641

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OFFICE OF PETITIONS

This is a decision on the petition under 37 CFR 1.137(b), filed June 6, 2005, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is not final agency action within the meaning of 5 U.S.C. § 704.

The issue fee has been received however; there is no indication that corrected formal drawings as required by the Notice of Allowability dated April 20, 2004, was submitted with the instant petition. This application cannot be revived until corrected formal drawings have been submitted. For applicant's convenience, a copy of the notice of draftsperson's patent drawing review dated April 14, 2004, is enclosed.

There is no indication that the petitioner has submitted an Issue Fee Transmittal Form (PTOL-85b). Accordingly, if petitioner desires to have the information normally found thereon printed on the patent, the attached blank Issue Fee Transmittal Form should be completed and returned with the renewed petition.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Mail Stop PETITIONS Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450 By hand:

Customer Service Window

Mail Stop Petitions Randolph Building 401 Dulany Street Alexandria, VA 22314

By fax:

(571) 273-8300

ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

Retta Williams

Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner

etta Williams

for Patent Examination Policy

Attachments to cc: Notice of Draftsperson's Patent Drawing Review and Blank Issue Fee

Transmittal Form, PTOL-85b.

Form PTO-948 (R : 06/03) 9 , 39

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

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I OTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

1. DRAWIN S. 37 CFR 1.84(a): Acceptable categories of rawings: Black ink or Color (3 sets equired). Color da wings are not acceptable until petition is granted. Fig(s) Pencil an I non black ink not permitted. Fig(s) 2. PHOTOG tAPHS. 37 CFR 1.84(b) One (1) fill-tone set is required. Fig(s) Photogra its must meet paper size requirements of 37 CFR 8.4(l). Fig(s) Poor qua 15 (half-tone). Fig(s) Peper non flexible, strong, white, and durable. Fig(s) Ensures. alterations, overwritings interlineations, folds, co; y machine marks not acceptable sizes: 21.0 cm by 2! 7 cm (DIN size A4) or 12.6 cm by 2! 9 cm (8 1/2x 11 inches) All drawi g sheets not the same size. Sheet(s) Drawing: sheets not an acceptable size. Fig(s) Smargin: or acceptable. Fig(s) Log () Log		A. app oved by the Draftsperson under \$7 CPR 1.8 B. obji sted to by the Draftsperson under 37 CPR 1.
7. SECTION LL VIEWS. 37 CFR 1.84(h)(3) Section: designation should be noted with numerals, beginning with number 1. Fig(s) Arabic or Roy an numbers. Fig(s) 16. DESIGN DRAWINGS. 37 CFR 1.152	ARRANGEMENT OF VIEWS. 37 CFR 1.84(i) Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) SCALE. 37 CFR 1.84(k) Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) O. CHARACTER OF LINES, NUMBERS, & ETTERS. 37 CFR 1.84(l) Lines, numbers & letters not uniformly, thick and well defined, clean, durable, and black (poor line quality). Fig(s) Solid black areas pale. Fig(s) Numbers and reference sharacters not oriented in the same direction as the view. 37 CFR 1.84(p)(fig(s)) Figure legends are poor. Fig(s) Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(fig(s)) English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) Numbers, leners and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(2) Fig(s) Lead-lines missing. Fig(s) 4. NUMBERING OF SHEETS OF DRAWINGS. 7 CFR 1.84(t) Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) NUMBERING OF VIEWS. 37 CFR 1.84(u) Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) DESIGN DRAWINGS. 37 CFR 1.152	B. Obj. sted to by the Draftsperson under 37 CFR 1. drawings are required. 1. DRAWIN: S. 37 CFR 1.84(a): Acceptable categories of rawings: Black link or Color (3 sets equired). Color drawings are not acceptable until petition is granted. Fig(s) Pencil an I non black link not permitted. Fig(s) Pencil an I non black link not permitted. Fig(s) Pencil an I non black link not permitted. Fig(s) Photogra has may not be mounted. 37 CFR 1.84(c) Photogra has may not be mounted. 37 CFR 1.84(c) Photogra has may not be mounted. 37 CFR 1.84(c) Photogra has must meet paper size requirements of 37 CFR .54(f). Fig(s) Poor qua ty (half-tone). Fig(s) 3. TYPE OF PAPER. 37 CFR 1.84(e) Paper not flexible, strong, white, and durable. Fig(s) Erasures. alterations, overwritings, interlineations, folds, coty machine marks not accepted. Fig(s) 4. SIZE OF I APER. 37 CFR 1.84(f): Acceptable sizes: 21.0 cm by 2! .7 cm (DIN size A4) or 21.6 cm by 2! 9 cm (8 1/2x 11 inches) All drawl ig sheets not the same size. Sheet(s) Drawing: sheets not an acceptable size. Fig(s) 5. MARGIN! . 37 CFR 1.84(g): Acceptable margins: Top 2.5 cm 1. ft 2.5 cm Right 1.5 cm Bottom 1.0 cm Margins: of acceptable. Fig(s) Top () Right R) Bottom (B) 6. VIEWS. 37 CFR 1.84(h) REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fi . 1A, Fig 1B and Fig. 1C, etc., the specification, it the Brief Description of the Drawings, must likewise be changed. Views not labeled separately or property. Fig(s) 7. SECTION IL VIEWS. 37 CFR 1.84(h)(3) Section: I designation should be noted with
Surface shading shown not appropriate. Fig(s) Solid black surface shading is not permitter when used to represent the color black as we color contrast. Fig(s) COMMENTS	Fig(s) Solid black surface shading is not permitted exception used to represent the color black as well as	COMMENTS

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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Alexandria, Virginia 22313-1450

(703) 746-4000 or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications. Note: A certificate of mailing can only be used for domestic mailings of the Fec(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. CLIBRENT CORRESPONDENCE ADORESS (Note: Legibly mark-up with any corrections or use Block 1) 04/20/2004 7590 Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United
States Postal Service with sufficient postage for first class mail in an envelope
addressed to the Mail Stop ISSUE FEE address above, or being facsimile
transmitted to the USPTO, on the date indicated below. AdVantage Partners IP, LLC P.O. Box 910377 San Diego,, CA 92121-0377 (Da ATTORNEY DOCKET NO. CONFIRMATION NO. FILING DATE FIRST NAMED INVENTOR APPLICATION NO. 45891/GSL/A641 Alan L. Backus 3764 11/07/2001 10/039.395 TITLE OF INVENTION: SIMPLIFIED DEVICE TO QUICKLY COOK FOOD ISSUE FEE **PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE** SMALL ENTITY APPLN. TYPE YES \$665 \$300 \$965 07/20/2004 nonprovisional ART UNIT CLASS-SUBCLASS FYAMINER 099-326000 BECKER, DREW E 1761 Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. firm (having as a member a registered attorney or O "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) a individual a corporation or other private group entity a government Please check the appropriate assignee category or categories (will not be printed on the patent); 4b. Payment of Fee(s): 4a. The following fee(s) are enclosed: A check in the amount of the fee(s) is enclosed. ☐ Issue Fee ☐ Payment by credit card. Form PTO-2038 is attached. O Publication Fee ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _______(enclose an extra copy of this form). ☐ Advance Order - # of Copies Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. (Authorized Signature)

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USFTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USFTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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